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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,684	08/10/2001	Toru Ebata	Q65834	4309

7590 06/08/2005
SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

MARTINEZ, DAVID E

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,684

Applicant(s)

EBATA, TORU

Examiner

David E. Martinez

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE dated 5/5/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Status of claims

Previous claim objections are now vacated due to use of new found art.

Claims 1-17 currently stand rejected.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/7/05 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-7, 9-11, and 13-17, are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,138,194 to Klein et al.(Klein).

1. With regards to claims 1, 5 and 9, Klein teaches a data processing apparatus that is used by being connected via a bus device to a central processing apparatus that starts an ID process for identifying the data processing apparatus when the bus device is initialized, the apparatus comprising:

a connection-detection device for detecting whether or not said data processing apparatus is connected to said central processing apparatus via said bus device [column 2 lines 34-37, 'controller'];

a state-change detection device for detecting whether or not an element which is to be mounted in said data processing apparatus, is mounted in said data-processing apparatus while said data processing apparatus is connected to said central processing apparatus [column 2 lines 34-37, 'movement sensor']; and

a bus initialization device for initializing said bus device when said element is mounted in said data processing apparatus [column 2 lines 34-37].

2. With regards to claims 2, 6 and 10, Klein teaches the data processing apparatus according to claim 1 wherein said element is a data recording medium [column 3 lines 60-66, element 109],

said state-change detection device detects whether or not said recording medium is mounted in said data processing apparatus [column 2 lines 34-37, column 3 lines 60-66], and

said bus initialization device initializes said bus device when said recording medium is mounted in said data processing apparatus [column 2 lines 34-37, column 3 lines 60-66].

3. With regards to claims 3, 7 and 11, Klein teaches the data processing apparatus according to claim 2, wherein said data processing that uses said recording medium performs at least any one of the processes of:

outputting data that are recorded on said recording medium to said central processing apparatus via said bus device [column 2 lines 34-37, column 3 lines 60-66], and recording data that are output from said central processing apparatus to said 'recording medium via said bus device [column 2 lines 34-37, column 3 lines 60-66].

4. With regards to claims 13, 15 and 17, they are of the same scope as the combination of claims 1 and 2 above, and thus are all rejected under the same rationale.

5. With regards to claims 14 and 16, they are of the same scope as claim 3 above, and thus are both rejected under the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 8 and 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,138,194 to Klein et al.(Klein). In view of US Patent No. 6,023,587 to Watts et al. (Watts).

6. With regards to claims 4, 8 and 12, Klein is silent as to the data processing apparatus according to claim 1, wherein said bus device is a serial bus that complies with the IEEE 1394 standard, and said initialization is a bus reset according to the IEEE 1394 standard, however, Watts teaches the use of a bus device being a serial bus that complies with the IEEE 1394 standard [see fig 293, column 4 lines 16-18, column 66 lines 37-54] which when combined with the system taught by Klein, also initializes a bus reset according to the IEEE 1394 standard being that it has a built in adapter for that particular protocol, all for the benefit of allowing a user to change and/or expand the functionality of the system by adding and/or exchanging cards.

It would have been obvious to one of ordinary skill in the art to combine the teachings of both Klein and Watts to have said bus device be a serial bus that complies with the IEEE 1394 standard, and said initialization being a bus reset according to the IEEE 1394 standard for the benefit of allowing a user to change and/or expand the functionality of his system by adding and/or exchanging cards, and also to take advantage of the well known standard which also increases system compatibility.

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Response to Arguments

Applicant's arguments with respect to claims 1, 5 and 9, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

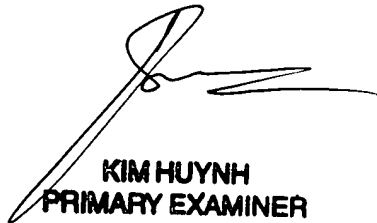
US Patent No. 6,141,711 to Shat et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Martinez whose telephone number is (571) 273-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DEM


KIM HUYNH
PRIMARY EXAMINER
6/3/05